

Paul Suskie  
Chairman  
(501) 682-1451

Colette D. Honorable  
Commissioner  
(501) 682-1455

Olan W. Reeves  
Commissioner  
(501) 682-1453

**ARKANSAS  
PUBLIC SERVICE COMMISSION**  
1000 Center  
P.O. Box 400  
Little Rock, Arkansas 72203-0400  
<http://www.Arkansas.gov/psc>



Received & Inspected

JUL 28 2009  
FCC Mail Room

July 23, 2009

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 W. 12<sup>th</sup> Street, S.W., Room TW-A306  
Washington, D.C. 20554

(via hard copy)

Ms. Karen Majcher  
Vice President, High Cost & Low Income Division  
Universal Service Administrative Company  
2000 L Street, N.W., Suite 200  
Washington, D.C. 20036

(via e-mail & hard copy)

Re: Certification for Link-Up & Lifeline Support for Nexus Communications, Inc.  
CC Docket No. 96-45 and 00-256

Dear Ms. Dortch & Ms. Majcher:

Please be advised that Nexus Communications, Inc has been certified to provide Lifeline services in certain Southwestern Bell d/b/a AT&T Arkansas exchange areas. The order granting the ETC status is attached.

If any additional information is needed to assure certification of this carrier, please contact me.

Please return a copy of this letter, noting your receipt, in the enclosed stamped, self addressed envelope.

Your courtesy and cooperation is appreciated.

Cordially,

A handwritten signature in cursive script, reading "Arthur H. Stuenkel".

Arthur H. Stuenkel  
Attorney for the Arkansas Public Service Commission  
501.682.5877  
[art\\_stuenkel@psc.state.ar.us](mailto:art_stuenkel@psc.state.ar.us)

cc: Mr. Mr. Steven Fenker (via e-mail)  
Mr. Sam Loudenslager (via e-mail)  
Mr. Dave Slaton (via e-mail)

No. of Copies rec'd 0  
List ABCDE

## ARKANSAS PUBLIC SERVICE COMMISSION SECRETARY OF COM

7009 JUL 22 P 1: 24

IN THE MATTER OF THE PETITION OF )  
 NEXUS COMMUNICATIONS, INC., FOR )  
 DESIGNATION AS AN ELIGIBLE )  
 TELECOMMUNICATIONS CARRIER )  
 PURSUANT TO SECTION 214(E)(2) AND )  
 SECTION 214 (E)(6) OF THE )  
 COMMUNICATIONS ACT OF 1934 )

DOCKET NO. 05-151-U

ORDER NO. 5

ORDER

By this Order Nexus Communications, Inc. ("Nexus") Petition for Designation as an Eligible Telecommunications Carrier, as amended on May 9, 2009 and supplemented on June 26, 2009, is granted and Nexus is hereby authorized as an ETC to provide Lifeline and Link-Up services via wireline modality and wireless service in those exchanges listed in Exhibit D to Nexus' Petition for Designation as an Eligible Telecommunications Carrier filed in this docket.

This docket was initiated by the filing of a Petition for Designation as an Eligible Telecommunications Carrier ("ETC") by Nexus pursuant to 47 U.S.C. §§214 (e) (2) & (6) and 47 C.F.R. §§54.101 through 54.207. Order No. 2 of this docket granted a Petition to Intervene by Southwestern Bell Telephone, L.P. d/b/a AT&T Arkansas ("AT&T"). AT&T then filed a Petition to Initiate Rulemaking and Motion for Stay requesting that this docket be stayed pending development of rules governing certification of ETCs. The Motion was granted by Order No. 3.

On May 9, 2009 Nexus filed an Amendment to its Petition for ETC Designation. The Amendment indicates that Nexus will comply with all applicable rules governing ETC designation required by the Federal Communications Commission and by Order

No. 7 of Arkansas Public Service Commission Docket No. 06-050-R which governs the ETC certification requirements which are applied by this Commission. The Amendment further indicates that Nexus is seeking ETC status for the provision of Lifeline and Link-Up services only and Nexus is not seeking federal high cost support. Nexus' request is also limited to certain Southwestern Bell exchanges which are set forth in exhibit D to Nexus' original Petition.

On June 26, 2009 Nexus filed a Supplement to its Petition and Amended Petition. The Supplement requests that Nexus be granted an ETC designation for Lifeline and Link-Up services to be provided via wireline modality and Nexus' wireless service. The Supplement also reiterates how Nexus intends to comply with the FCC requirements for ETC status as well as the requirements of this Commission as established in Order No. 7 of Docket 06-050-R.

Order No. 4 of this docket allowed any party desiring to file testimony, comments or otherwise respond to the Petition of Nexus Communications, Inc. for Designation as an Eligible Telecommunications Carrier to file responses on or before Friday, July 10, 2009. The Secretary of the Commission was directed to serve a copy of the Order on all Arkansas ETCs. No objections to the granting of Nexus' request were received.

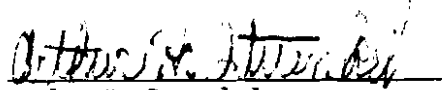
Based on the record in this docket Nexus has clearly established that it is prepared to meet the FCC requirements for ETC status as well as the requirements of this Commission and that this Commission has jurisdiction over the Application. Further Nexus has shown that the availability of basic telecommunications services to low-income consumers would benefit the public health, safety and welfare by allowing consumers to choose from a variety of telecommunications providers and the variety of

telecommunications services they provide. This would provide a benefit to consumers who routinely drive long distances to attend work or school or to accomplish everyday tasks such as shopping or attending community and social events. The wireless service offered by Nexus will provide these consumers with an alternative to traditional telecommunications service that can be used while at home and away from home. Inclusion of Nexus wireless' Lifeline and Link Up programs will enable consumers to obtain wireless service which might otherwise be unavailable to them. The granting of Nexus request is clearly in the public interest.

It is therefore ordered that the Petition for Designation as an Eligible Telecommunications Carrier, as amended on May 9, 2009 and supplemented on June 26, 2009 is granted and Nexus is hereby authorized as an ETC to provide Lifeline and Link-Up services via wireline modality and wireless service in those exchanges listed in Exhibit D to Nexus' Petition for Designation as an Eligible Telecommunications Carrier filed in this docket.

BY ORDER OF THE PRESIDING OFFICER PURSUANT TO DELEGATION.

This 22<sup>ND</sup> day of July, 2009.



Arthur H. Stuenkel  
Presiding Officer

  
Office of the Secretary of the Commission

I hereby certify that the following order issued by the Arkansas Public Service Commission has been served on all parties of record this date by U.S. mail with postage prepaid, using the address of each party as indicated in the official docket file.

Secretary of the Commission

Date 7/22/09

**Exhibit D – List of Exchanges**





